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CIVIL AND POLITICAL RIGHTS

TORTURE AND DETENTION

United Nations Voluntary Fund for Victims of Torture

Report of the Secretary-General

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I. ANNUAL REPORTS

1. In conformity with arrangements adopted by the General Assembly for the management of the United Nations Voluntary Fund for the Victims of Torture, the Secretary-General draws up an annual report to the Assembly, indicating the funds available, pledges made and contributions received, together with disbursements from the Fund (resolution 36/151). The annual report prepared on 12 July 2001 (A/56/181) was submitted to the Assembly at its fifty-sixth session. The Assembly took note of this report. At its fifty-seventh session it will examine the Secretary-General's next report, in accordance with resolution 56/143 of 19 December 2001.

2. The Commission on Human Rights, in its resolution 2001/62 adopted at its fifty-seventh session on 25 April 2001, took note (para. 39) of the Secretary-General's previous reports on the Fund (A/55/178 and E/CN.4/2001/59 and Corr.1 and Add.1), and (para. 46) requested the Secretary-General to continue to keep it informed of the operations of the Fund on an annual basis. The Secretary-General's last report to the Assembly on the Fund (A/56/181) and Assembly resolution 56/143 will be available to the Commission at its fifty-eighth session. The present report, drawn up on 25 January 2002, complements and updates the annual report mentioned above. An addendum will be submitted to the Commission in March or April 2002 for the purpose of keeping it informed of new contributions received in time for the twenty-first session of the Fund's Board of Trustees.

II. FINANCIAL STATUS

A. Grants paid, pending or allocated for urgent assistance

3. At its twentieth session (18 May-1 June 2001), the Board of Trustees of the Fund, an advisory body to the Secretary-General, recommended that, for the period June 2001-May 2002, grants of a little over US$ 8 million (A/56/181, para. 10, and press release HR/01/58 of 22 June 2001) should be awarded to medical, psychological, economic, social, legal, humanitarian and other assistance programmes around the world for victims of torture and members of their families. On 15 June 2001, the United Nations High Commissioner for Human Rights approved these grants on behalf of the Secretary-General. On 29 June 2001, in keeping with the Board's recommendations, total payments of US$ 5,786,000 were made to cover all the grants which could be paid without delay. Since that time, payments totalling US$ 1,531,000 have been requested for grants which had been withheld pending additional information. Some US$ 700,000, allocated for grants still pending, could be paid before the Board's next session (13-27 May 2002) if the additional information requested by the Board or the Fund secretariat has been received from the organizations concerned and deemed to be satisfactory by the secretariat. A list of organizations financed by the Fund in 2001 is annexed to the annual report to the General Assembly (A/56/181, annex I). In addition, the Board recommended that an amount of approximately US$ 175,000 should be set aside to meet requests made, in the period up to the next Board session in May 2002, for urgent assistance to projects financed by the Fund which might be experiencing financial difficulties, or to meet requests for urgent care from victims of torture in regions where there are no projects financed by the Fund (ibid., para. 14).

B. Contributions available for the twenty-first session of the Board

4. The contributions received in time (before 18 May 2001) for allocation at the twentieth session of the Board are shown in the Secretary-General's report to the General Assembly (A/56/181, para. 11, table 1). Contributions that had not been officially recorded by the Treasurer of the United Nations before the twentieth session and were recorded afterwards are shown in table 1 below, drawn up on 25 January 2002 using information available to the Office of the High Commissioner. The Board will take them into consideration at its twenty-first session, together with any others that are duly recorded before Monday, 13 May 2002. Contributions paid and recorded by the Treasurer after 25 January 2002 will be mentioned in an addendum to the present report.

Table 1

Contributions available for the twenty-first session of the Board of Trustees

State	Amount (US$)	Currency of payment	Currency of pledge	Recorded	Intended for	Contribution No.
Austria	40 000			15.8.01	2001	18
Bahrain	10 000			17.12.01	2002	1
Cameroon	3 000	Sw F 5 340			2001	5
Canada	60 249			29.10.01	2002	19
Czech Republic	5 000			18.6.01	2001	6
Greece	10 300			31.8.01	2002	17
Israel	5 000			21.6.01	2001	5
Italy	108 677	Sw F 176 056	Lit 232 000 000 € 120 000	16.11.01	2001	13
Monaco	10 000			16.3.01	2000	7
Monaco	10 000			17.4.01	2001	8
New Zealand	10 618			29.5.01	2001	15
Republic of Korea	10 000			27.12.01	2001	7
Spain	37 397		Ptas 7 000 000	14.12.01	2001	16
South Africa	6 315		R50 000	4.4.01	2001	6
Sri Lanka	1 000			3.7.01	2001	10
Tunisia	1 881		D2 000	31.10.01	2001	11
United Kingdom[a]	209 677	£130 000	£130 000	28.9.01	1999	12
Total	539 114					

[a] A payment of £130,000 was made to the credit of the United Nations Office for Project Services (UNOPS).

C. Pledges

5. Most donors pay their voluntary contributions directly to the Fund, without prior pledges. Some make pledges: (a) directly by letter to the Office of the High Commissioner, copied to the secretariat of the Fund (for details, see paras. 22-25 below); (b) at the meeting between donors and members of the Board, held on the last day of the annual session in May (the next meeting should take place on 27 May 2002); (c) at the United Nations Pledging Conference for Development Activities held in New York in the first week of each November; (d) at the briefings for regular donors organized by the Fund secretariat. Donors that so wish may also

make pledges at the annual session of the Commission or when a State party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment submits a report to the Committee against Torture.

6. As on 25 January 2002, according to information available to the Office of the High Commissioner, the following pledges had been made:

Table 2

Pledges unpaid as of 25 January 2002

Donors	Amount in US$	Amount in local currency	Announced on	Intended for	Contribution No.
Algeria	5 000		7.11.01	2002	11
Belgium	66 223	BF 3 000 000	18.12.01	2001	12
Brazil[a]	10 000		20.12.94	1995	6
Brazil[a]	10 000		2.11.95	1996	7
Brazil[a]	10 000		4.11.97	1998	8
Bulgaria[b]	1 000		5.01.01	2001	1
Chile[c]	10 000		2.11.00	2001	9
Chile[c]	5 000		7.11.01	2002	10
Holy See[d]	1 000		13.12.01	2001	6
Israel	5 000		27.06.01		
Monaco	10 000		7.11.01	2002	9
Tunisia	1 429	D 2 000	2.11.01	2002	12
Turkey	5 000		2.11.00	2001	3
Venezuela	5 000		7.12.01	2002	2
Total	144 652				

[a] Pledges made in a letter dated 20 December 1994 for the year 1995, and at United Nations pledging conferences for development activities in November 1995 for the year 1996, and in November 1997 for the year 1998.

[b] The Government of Bulgaria announced on 5 January 2001 that this contribution had been paid on 29 December 2000. The Treasurer's official receipt indicating that this amount was available in the Fund's account was not yet to hand at the time this report was written.

[c] Pledges made at United Nations pledging conferences for development activities in New York on 2 November 2000 and 7 November 2001.

[d] Cheque sent on 13 December 2001 by the Permanent Mission of the Holy See in Geneva to the United Nations Treasurer in Geneva. The Treasurer's official receipt indicating that this amount was available in the Fund's account was not yet to hand at the time this report was written.

7. Any contribution officially recorded by the Treasurer of the United Nations after 13 May 2002 will be reflected in the accounts for the twenty-second session (May 2003). The Board adopts its funding recommendations on the basis of the contributions actually paid and duly recorded in the Fund's account by the Treasurer, and actually available for allocation as grants; it does not take pledges into consideration.

III. FUND-RAISING

8. The General Assembly, by its resolution 56/143 of 19 December 2001, and the Commission, by its resolution 2001/62 (para. 40) of 25 April 2001, expressed their appreciation and gratitude to the Governments, organizations and individuals that had contributed to the Fund. They also encouraged donors that had already contributed to the Fund to continue to do so, if possible with a substantial increase, so that the ever more numerous requests for assistance could be addressed. In addition, they appealed to all Governments and organizations to contribute annually to the Fund, preferably by 1 March, so that their contributions could be duly recorded and made available for allocation at the Board's following session or, in any event, before the Board's annual meeting (i.e., for 2002, before 13 May). The Board of Trustees of the Fund, the Committee against Torture, the Special Rapporteur of the Commission on Human Rights on the question of torture and the United Nations High Commissioner for Human Rights have confirmed to all donors that their contributions are properly used to provide medical, psychological, economic, social, legal, humanitarian and other assistance to the victims of torture and their families, and that they are highly appreciated not only by the victims of torture themselves but also by their families and human rights defenders and organizations (see the Joint Declaration issued on the occasion of the United Nations International Day in Support of Victims of Torture, on 26 June 2002 - A/56/181, annex II).

9. The Secretary-General was requested to transmit these appeals to all Governments. In her letter of 4 December 2001, the High Commissioner drew the attention of all Governments to the appeals for contributions launched by the General Assembly, the Commission, the sponsors of the Joint Declaration and the Board. She estimated that requests for grants which might be made to the Fund in 2002 would amount to US$ 12 million (see A/56/181, para. 27). She urged Governments in a position to do so to contribute to the Fund and, if possible, substantially to increase their contributions, preferably by 1 March 2002, before the next session of the Board.

10. At the end of each year, the secretariat of the Fund organizes a technical briefing for interested regular donors in Geneva, to provide them with up-to-date information on the amounts available, payments received, pledges and disbursements, and answer their questions. A briefing was held on 12 December 2001.

11. In its resolution 36/151, by which it established the Fund, the General Assembly authorized the Board to promote and solicit contributions and pledges. It also requested the Secretary-General to give the Board all the assistance it might require. The Board currently comprises Mr. Jaap Walkate (Chair), Mr. Ribot Hatano, Ms. Elizabeth Odio-Benito, Mr. Ivan Tosevski and Mr. Amos Wako. The Board members have the opportunity to solicit contributions at their annual meeting with donors held on the last day of the Board's annual session in Geneva. The Commission has introduced the practice of inviting the Chair or a Board

member, if he or she is present in Geneva during the Commission's session in March/April, to submit to the Commission, under the relevant agenda item, an update on the financial situation of the Fund and to encourage participants to pay their contributions before the Board meeting in May; this was done by Mr. Ivan Tosevski on 4 April 2001. The Chair of the Board, when making field visits to projects, also endeavours to meet the appropriate foreign ministry officials and to encourage them to contribute to the Fund.

12. If, in the opinion of the Chair of the Board, the level of total contributions paid and recorded by 1 March does not allow the Board to fulfil its functions by responding adequately to the grant requests received, the Chair could, in keeping with established practice, request the High Commissioner to forward to all Governments an urgent appeal from the Chair to pay new voluntary contributions to the Fund before 13 May 2002 (see E/CN.4/2001/59/Add.1, annex). The Assembly, in resolution 56/143, stressed the importance of the Board's work and requested the Secretary-General to assist the Board in its appeal for contributions (paras. 25 and 27).

13. In the same resolution, the Assembly also requested the Board to assist it in its efforts to make better known the existence of the Fund and the financial means available to it, and for that purpose to make use of all existing possibilities, in particular the preparation, production and dissemination of information materials (para. 27). The Assembly also requested the Secretary-General to make available adequate staff and facilities for the operations of the Board and the Fund, commensurate with the strong support expressed by Member States for such activities (para. 28).

IV. NEEDS ASSESSMENT FOR 2002

A. Requests received and grants awarded (1993-2001)

14. In order to take into account the difference between the requests for grants and the available resources which could be allocated for such grants (see table 3 below), as well as the constant upgrading of the projects submitted for funding and the increasing amount of grant funding allocated each year, the Board has recommended for several years that virtually the total amount should be awarded. As a result, all that is left for the following year is the compulsory reserve, which, in accordance with the United Nations rules applicable to voluntary funds for humanitarian purposes, is set at 15 per cent of expected annual expenditure (see A/56/181, para. 10).

Table 3

Comparison of grants requested and grants awarded (1993-2001)

Year	Requested (US$)	Awarded (US$)	Percentage awarded	Additional amount requested (US$)
2001	11 119 341 (+ 1 119 341)	8 009 842 (+ 1 009 842)	72	3 109 499
2000	10 000 000 (+ 1 748 140)	7 000 000 (+ 1 921 500)	70	3 000 000
1999	8 251 860 (+ 1 451 860)	5 078 500 (+ 868 500)	61.5	3 173 360
1998	6 800 000	4 210 000 (+ 1 173 946)	61.9	2 590 000
1997	6 800 000 (+ 1 181 355)	3 036 054 (+ 500 554)	44.64	3 763 946
1996	5 618 645	2 535 500	45.1	3 083 145
1995	5 827 645	2 719 680	46.6	3 107 965
1994	5 476 959	3 698 080 (+ 1 587 000)	67.5	1 778 879
1993	5 289 413	2 111 880	39.9	3 177 533

B. Estimated needs for 2002

15. In assessing the needs of the Fund for 2002, the secretariat has followed the practice adopted by the Board and approved by the Secretary-General that the assessment should be realistic and based on, first, admissible requests for grants submitted to the Fund for 2002; second, resources available for the twenty-first session; third, the total grants awarded in the previous year; fourth, pledges made; and, fifth, new contributions expected from regular donors which have not yet been paid or pledged.

16. If the upward trend observed since 1997 continued (see table 3 above), the Board estimated that the total amount requested from the Fund in 2002 would reach almost US$ 12 million (see A/56/181, para. 27). The increase in requests from 2000 to 2001 is approximately US$ 1 million.

17. As on 25 January 2002, total new contributions paid since 18 May 2001 amounted to a mere US$ 539,114 (see table 1 above). Total pledges received by the same date - which donors are urged to pay before 13 May 2002 - stood at US$ 144,562 (see table 2 above).

18. In the light of its experience since 1982, the Board believes that regular appeals to donors and a steady increase in contributions will enable the Fund to perform its activities effectively.

19. In paragraph 45 of its resolution 2001/62, the Commission called on the Board to present an updated assessment of the need for international funding of rehabilitation services for victims of torture. The Board took note of this request at its twentieth session. It felt that it did not have the necessary information to make a realistic assessment of global funding needs for rehabilitation services for victims of torture, other than those which it had submitted to the Fund (see paras. 15-17 above). As, however, the Board's guidelines provide that the Fund should not in principle finance more than one third of the budget of any project submitted to it, the Board might respond that, if the above trend continues in 2002, organizations which have submitted a request to the Fund should approach other donors for the approximately US$ 22 million needed to finance the remaining two thirds. The Board also noted that the Fund finances medical, psychological, social, economic, legal, humanitarian or direct emergency assistance programmes for victims of torture and members of their families, as well as certain vocational training programmes, and not only rehabilitation programmes.

20. The Commission also called upon the Board, in the same paragraph of its resolution, to present to it an assessment of lessons and best practices learned from the activities of the Fund. The Board draws lessons from the results of each completed year and formalizes its best practice, where necessary, at each of its closed sessions, when it adopts or reviews its procedures and guidelines. This constitutes a separate item on its annual agenda. The Board presented the lessons learnt from the activities of the Fund to donors at its annual meeting with them, on the last day of its twentieth session. In May 2000, it also presented these lessons at a meeting with all permanent missions to the United Nations Office at Geneva. The secretariat of the Fund also informs the Board, when necessary, of the relevant procedures, guidelines and best practice adopted by other boards of trustees of funds for humanitarian assistance established by the General Assembly and administered by the Secretary-General which engage in comparable activities. Salient points of the lessons drawn by the Board from the activities of the Fund over the last few years are highlighted in the "Procedures and guidelines of the United Nations Voluntary Fund for Victims of Torture for the use of organizations", as revised by the Board on 26 May 2000 (A/55/178, annex II), but not revised at the twentieth session.

21. Addressing the International Association for Humanitarian Medicine at Palermo, Italy, on 18 November 2000, the Chair of the Board, Mr. Walkate, said that the number of victims of torture and members of their families needing assistance was, of course, unknown, but probably measured hundreds of thousands across the world. The vast majority of those were not receiving any treatment at all. They only had the chance of treatment if they were able to find specialized rehabilitation centres, which were mostly being established in Western countries, because of the increasing number of refugees. The exact amount necessary to fund the assistance that they needed was not known.

V. HOW TO MAKE A CONTRIBUTION

22. Governments, individuals and organizations wishing to make a contribution to the Fund can do so as follows:

(a) **By bank transfer** to the United Nations Geneva General Fund:

- In United States dollars (US$), account No. 240-CO-590-160.1
- In other currencies, account No. 240-CO-590-160.0

c/o UBS AG, P.O. Box 2770, CH-1211 Geneva 2

Swift address: UBSWCHZH12A; or

(b) **By cheque** made out to the "United Nations", to:

The Treasurer, United Nations Office at Geneva,
Palais des Nations, CH-1211 Geneva 10, Switzerland.

23. In all cases, donors are requested to specify: "**Payee: United Nations Voluntary Fund for Victims of Torture, a/c CH**".

24. Donors are invited to notify the secretariat of the Fund of their payments or pledges, to enable it to report to the Board, the General Assembly and the Commission on Human Rights, and to follow the payments up with the appropriate United Nations bodies and the Office of the High Commissioner.

VI. OTHER INFORMATION

25. For any further information on the Fund, please contact the secretariat of the Fund - Humanitarian Trust Funds Unit, SSB, Office of the United Nations High Commissioner for Human Rights (OHCHR), United Nations, Palais Wilson; postal address: TFU/SSB/OHCHR, United Nations, CH-1211, Geneva 10; tel: +41 22 917 9315; fax: +41 22 917 9017; email: unvfvt.hchr@unog.ch.

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CIVIL AND POLITICAL RIGHTS, INCLUDING THE QUESTIONS OF TORTURE AND DETENTION

Human rights and forensic science

Report of the Office of the United Nations High Commissioner for Human Rights submitted in accordance with Commission on Human Rights resolution 2000/32

1. In its resolution 2000/32, the Commission on Human Rights requested the Office of the United Nations High Commissioner for Human Rights (OHCHR) to consult with Governments, relevant United Nations bodies and professional organizations of forensic and related experts with a view to updating the list of forensic and related experts with their biographical data, including professional qualifications, current employment, contact address, gender, indications of availability, and the kind of assistance they could provide.

2. The Commission on Human Rights recommended that OHCHR encourage the dissemination and use of manuals, and the setting up of courses for training in forensic activities relating to victims of human rights violations, particularly in countries without sufficient expertise in forensic science and related fields. It also invited OHCHR and the Crime Prevention and Criminal Justice Division of the Secretariat to consider revising the Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions.

3. The Commission requested OHCHR to report to it at its fifty-eighth session on progress made in this matter (forensic and related expertise). The present report is submitted in response to this request.

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4. On 8 August 2000, a note verbale was sent to all Governments and a letter to relevant intergovernmental and non-governmental organizations (NGOs). As of 14 December 2001, replies had been received from 15 Governments, 2 NGOs, Physicians for Human Rights and the Argentinean Forensic Anthropology Team, and from the International Criminal Tribunal for the Former Yugoslavia. All the replies contained lists of forensic experts and some of them also contained other elements, as requested by the Commission on Human Rights.

5. In order to facilitate the identification and selection processes for recruitment purposes, OHCHR sought the technical advice of an international expert in forensic science to establish a practical electronic database. For the purposes of inclusion in the database, experts were classified according to the following categories of activity and expertise: (a) forensic physician/pathologist/expert in the field of forensic medicine; (b) forensic pathology related to deaths caused by explosions, projectiles or firearms; (c) anatomical dissection and morphology of decomposed bodies; mass graves; (d) identification of corpses in individual cases; coordination in identification centres with large numbers of corpses; (e) clinical forensic information relating to sexual crimes, personal injury, state of health, domestic violence, etc; (f) assessment of physical injuries and related evidence; (g) investigation of the presence of toxins in bodily and other fluids; (h) analysis of cause of death from projectiles from firearms and other weapons; imprints and marks on the skin and at the crime scene; (i) investigation of traces of biological evidence found at the crime scene or on the body of the victim or suspects in crimes such as homicide or sexual assault; (j) forensic information systems for cross-linking cases; (k) conducting forensic exhumation and autopsy examinations; exhumation and identification of bodies; investigation of mass graves; (l) forensic medical training.

6. A consolidated database containing a total number of 487 experts, classified according to these categories, is currently available at OHCHR.

7. The Board of Trustees of the United Nations Voluntary Fund for Victims of Torture has recommended that organizations financed by the Fund use the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Punishment (the Istanbul Protocol).[1] In May 2001, OHCHR has distributed the Manual among the 200 organizations financed by the Fund, and has strongly encouraged these organizations to use it in their daily activities and especially in the training and seminars they may carry out.

8. OHCHR is providing technical assistance to the Government of Mexico through a project which includes among its objectives the elaboration of a model procedure based on the Istanbul Protocol for the forensic investigation of torture. In July 2001, OHCHR, in cooperation with the Argentinean Forensic Anthropology Team, held a training seminar on forensic examination of torture in Mexico. Participants included 40 medical professionals and 15 legal practitioners. The course was considered by a leading expert in this field as a breakthrough, not only for Mexico but also for the rest of the Latin American region. Follow-up training on the forensic examination of torture is included as part of the second phase of the project.

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[1] United Nations publication, Sales No. E.01.XIV.1.

9. Regarding the Manual on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, OHCHR has made available existing relevant legal material to those human rights bodies requesting them in the fulfilment of their mandates. However, due to insufficient resources, the Centre for International Crime Prevention at the United Nations Office for Drug Control and Crime Prevention in Vienna and OHCHR have not been able to revise the Manual, which was published in 1991. The Centre and OHCHR have, however, stressed the importance of technical cooperation activities to reinforce the capabilities of Member States in their forensic activities, which are critical for ensuring the capacity of the criminal justice system to tackle all kind of crimes. The Centre for International Crime Prevention highligats the relevance of forensic medical science for combating trafficking in persons, in particular trafficking for the removal of organs. Forensic techniques are valuable for building judicial cases on the basis of abuse of force and torture, as well as inhuman treatment often used against both smuggled migrants and trafficked persons. Consequently, the new version of the Manual should include adequate and coherent guidelines for forensic techniques in view of this new phenomenon.

10. OHCHR is in the process of adjusting its training programme to meet the evolving needs of the various sectors of human rights. The need for training in the forensic area is being considered in this context.

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